

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendment and following remarks.

Status of the Claims

Claims 1, 2 and 12-15 are pending in this application. All of the pending claims stand rejected. By this amendment, claims 1, 2 and 12-15 are canceled without prejudice or disclaimer. New claims 16-19 are added. No new matter has been added by this amendment.

Rejection under 35 U.S.C. §103

In paragraph four (4) of the Office Action, claims 1, 2 and 12 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,097,431 to Anderson et al. ("Anderson") in view of U.S. Pub. No. 2008/0049971 A1 to Ramos et al. ("Ramos").

In paragraph eleven (11) of the Office Action, claims 13-15 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Anderson in view of Ramos, in further view of U.S. Patent No. 6,718,118 to Oguro ("Oguro").

As indicated above, claims 1, 2 and 12-15 have been canceled thereby rendering the rejections directed to these claims moot.

New Claims

Claims 16-19 have been added to recite the claimed invention in an alternative manner. The invention as featured in claim 16 is directed to an imaging apparatus such as a digital camera. In particular, the imaging apparatus of claim 16 comprises, *inter alia*, a set unit that sets one of a first mode and a second mode. The first mode is a mode in which the recording unit records the image data acquired by the image capture unit together with the authentication data in the removable recording unit and the second mode is a mode in which the recording unit records the

image data acquired by the image capture unit without the authentication data in the removable recording. Support for the new claims may be found, e.g., page 20, line 16 through page 30, line 15 of the specification as originally filed.

With the features of the invention as claimed, if the imaging apparatus is in the first mode, the display unit displays both of an image relating to a captured image data and an additional information indicating that the authentication data is also recorded with the captured image data in response to the image capture instruction. See, e.g., step S1206 of pages 25-26 of the original specification. If, however, the imaging apparatus is in the second mode, the display unit displays the image related to the captured image data but does not display the additional information. See, e.g., step S1210 of pages 26-27 of the original specification.

As a result, a user of the imaging apparatus of the present invention can easily recognize whether the captured image is stored into the removable recording medium together with the authentication data when the user inputs the image capture instruction.

Anderson discloses a method and system for reviewing and navigating through images displayed on an image capture unit. Anderson method includes displaying images in a predetermined number of group types and each of the group types indicates a number of images to be displayed at a time.

Anderson, however, fails to teach the invention as featured in claim 16. For example, while Anderson merely discloses a technique for displaying images which have been already stored in a memory (e.g., as shown in Figs. 9-11), there is nothing in Anderson that teaches the inventive aspect of claim 16, e.g., that sets a first mode in which the recording unit records the image data acquired by the image capture unit together with the authentication data in the

removable recording unit and a second mode in which the recording unit records the image data acquired by the image capture unit without the authentication data in the removable recording.

Ramos is cited as disclosing displaying graphical icon that signifies the presence of a watermark in a file.¹ Oguro is cited as disclosing displaying indication of whether an image file is protected from deletion.² However, none of these secondary references shows or suggests the inventive aspect of claim 16 discussed above.

Accordingly, each of new claim 16, and claims 17-19 in depending from claim 16 either directly or indirectly, is believed patentable over the references cited by the Examiner (i.e., Anderson, Ramos and Oguro), either taken alone or in combination.

Applicants have chosen in the interest of expediting prosecution of this patent application to distinguish the cited documents from the pending claims as set forth above. However, these statements should not be regarded in any way as admissions that the cited documents are, in fact, prior art.

Applicants believe that the application as amended including the new claims is in condition for allowance and such action is respectfully requested.

¹ Paragraph eight (8) of the Office Action.

² Paragraph twelve (12) of the Office Action.

AUTHORIZATION

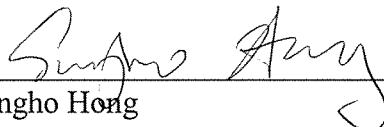
No petitions or additional fees are believed due for this amendment and/or any accompanying submissions. However, to the extent that any additional fees and/or petition is required, including a petition for extension of time, Applicants hereby petition the Commissioner to grant such petition, and hereby authorizes the Commissioner to charge any additional fees, including any fees which may be required for such petition, or credit any overpayment to Deposit Account No. 13-4500 (Order No. 1232-5163). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

Dated: January 7, 2009

By: _____


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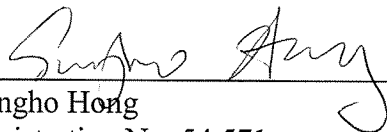
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